

Court Approved Mediator List

Alston, Paul
Amano, Ricki May
Barnes, Bruce
Bent, Daniel
Chang, Louis
Clay, Gerald
Crowley, Thomas
Crumpton, Charles W.
Day, David F.
Duffy, James E. , Jr.
Fairbanks, David L.
Hastert, Diana
Hoenig, James K.
Hunter, Keith
Ichinose, Susan
Ito, Mark F.
Kent, Elizabeth
Lacy, John R.
Lee, Dale W.
Lenhart, Peter J.
Lorusso, Michael A.
Maki, Paul
Marr, Michael
Martin, Pamela
Matsui, Clyde W.
McConnell, E. John
Meeker, Theodore G.
Ramil, Mario
Tjioe, Roy J.
Walker, Lorenn
Wiltgen, Tracey S.
Yim, Patrick K.S. L.

Paul Alston

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website: www.ahfi.com

President, Shareholder, Director at Alston Hunt Floyd & Ing

Education: University of Southern California Law School

Trial Lawyer in Hawaii since 1971. Represents plaintiffs and defendants in all types of civil disputes in federal and state court, as well as Alternative Dispute Resolutions proceedings. Participated in over 100 mediations (all involving commercial disputes) and acted as a mediator in cases.

Honors and Awards:

Best Lawyers in America

Antitrust Law (2009)

Appellate Law (2007-2009)

Bet-the-Company Litigation (2009)

Commercial Litigation (1993-2009)

First Amendment Law (1993-2009)

Personal Injury Litigation (2009)

Martindale-Hubbell AV rating (1982-present)

Chambers USA™, Leading Lawyers for Business in Commercial Litigation (2005-2009)

Super Lawyers

Business Litigation (2008)

Honolulu Magazine, Best Lawyers in Hawai'i (2005-present)

Justice Award for Promoting Public Access to Justice (1991)

JUDGE RIKI MAY AMANO (Ret.)
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Judge Riki May Amano (Ret.) served as a judge in the district and circuit courts of the Third Judicial Circuit, State of Hawaii from February 1992 until her retirement in April 2003. During her judicial career, Judge Amano presided over personal injury, negligence, medical malpractice, contract, employment, probate, landlord/tenant, small claims, family and criminal non-jury and jury trials. Her docket included pretrial and post-trial motions, settlement conferences, and probate and guardianship cases. For nine years, Judge Amano was the Court Annexed Arbitration Programs' Arbitration Judge for the Third Judicial Circuit. She also served on numerous committees such as the Penal Code Project Advisory Committee, the Committee On Equality and Access to the Courts, the Inter-Agency Council on Intermediate Sanctions and the Big Island Task Force on Criminal Justice.

Her experience in dispute resolution spans more than thirty years. In early 1982, Judge Amano completed mediation training at the Neighborhood Justice Center (nka Mediation Center of the Pacific). She was a volunteer mediator for the NJC until she returned to Hilo in 1983. She continued as a volunteer mediator and also served as a trainer with the Ku'ikahi Mediation Services in Hilo, from 1983 until 1991. She chaired the Ku'ikahi Mediation Service's Advisory Committee from 1988-1991. Judge Amano received facilitation training in 1990 and has served as a facilitator on several occasions.

In addition, Judge Amano has been enrolled as a student at the Pepperdine University School of Law since May 2004, working on an LL.M. in dispute resolution. Among the courses she has completed are: Mediation Seminar, Selected Issues in Dispute Resolution: Mass Torts, Cross-Cultural Negotiation and Dispute Resolution, Domestic Relations Dispute Resolution, and Current Issues in International Dispute Resolution: Hong Kong/Beijing. She has 240 hours of externship at the Settlement Facility-Dow Corning Trust in Houston, Texas.

Judge Amano was born and raised in Hilo. She completed her undergraduate education in 1976 with a BA degree in Political Science and obtained her Juris Doctor degree from the William S. Richardson School of Law, University of Hawaii in 1979. Prior to her appointment to the bench, Judge Amano was a deputy attorney general assigned to the department of Land & Natural Resources, Transportation and Labor and Industrial Relations; and in private practice from 1981 until 1991. She is married and has two daughters and four grandchildren.

Bruce Barnes

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Phone: 808-956-2437

No Information Sheet

Daniel A. Bent, Esq.

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Honolulu, Hawaii 96813

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Email: DanBent@FairMediation.com

Dan Bent is a former civil litigation attorney and former United States Attorney for Hawaii. He practiced law as a litigation attorney for 27 years from 1974 to 2001. Since then he has been an active mediator and arbitrator as a member of the Distinguished Panel of Neutrals of Dispute Prevention and Resolution, Inc. Dan has been honored by selection for "The Best Lawyers in America" in Alternative Dispute Resolution for his work as a mediator and arbitrator. He is a former President of the Association for Conflict Resolution - Hawaii Chapter, and the Mediation Center of the Pacific selected him as "Mediator of the Year" and selected him for its first ever "Lawyer as a Problem Solver Award."

Dan now devotes his practice involving disputes to mediation and arbitration and no longer represents parties in litigation. His mediation and arbitration experience includes the successful resolution of commercial, business partnership, engineering services, labor, employment discrimination, medical professional, personal injury, and legal malpractice cases. He is particularly interested in the challenge of mediating commercial cases involving engineering and technology issues as well as cases in which the parties and/or attorneys feel that the case "will never settle."

Dan is a graduate in Mechanical Engineering and received his law degree from Georgetown University in Washington, D.C.

Further information about Dan and his experience can be found at:
www.FairMediation.com.

Gerald S. Clay
Clay Chapman Iwamura Pulice & Nervell
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I am a graduate of the University of Michigan School of Law and received my bachelor's degree in business administration from the University of Pittsburgh.

I came to Hawaii in 1974 to be the in-house counsel for Lewers & Cooke. In 1977, I became a founding partner in the Honolulu law firm of Clay Chapman Iwamura Pulice & Nervell. I have litigated many cases, but soon after arriving in Honolulu, I became a champion for resolving civil disputes through mediation. Since then, I have mediated more than 1,000 construction, commercial and real estate disputes.

I am a Panel member of Dispute Prevention & Resolution, Inc., as well as the American Arbitration Association. I am also a board member of the Mediation Center of the Pacific and this year I will be the organization's president.

I have given lectures on conflict resolution at the University of Hawaii law school and am an adjunct professor at Hawaii Pacific University where I taught Conflict Resolution as part of the university's MBA program.

I am the co-author of the book "Before You Sue: How to Get Justice Without Going to Court." The book is used as a reference at many universities.

I have provided Mediation and Arbitration services for over 1,000 construction, commercial and real estate disputes.

My publications include:

Chapter 9, "Counseling Clients on Mediation," in Donovan Leisure Newton & Irvine, *ADR Practice Book*, ed., John H. Wilkinson, New York: Wiley Law Publications, 1990

Co-author, *Before You Sue: How to Get Justice Without Going to Court*, New York: Wm Morrow & Co., 1987. First nationwide book directed to the general public which deals with mediation. With Fletcher Knebel

Co-author, *Guide to Creative Mediation*, Dispute Resolution Journal, December, 1996.

Author, numerous articles for professional publications (including *Arbitration Times*, *Bureau of National Affairs*, *Alternative Dispute Resolution Reporter*, *Hawaii State Bar Journal*,) regarding facilitation and partnering, mediation, arbitration, and construction law.

Thomas Crowley

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No Information Sheet

Charles W. Crumpton

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Honolulu, HI 96813

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Litigation attorney since 1978; mediator and arbitrator since 1985 in over 1,000 insurance, torts, personal injury, medical and legal negligence, commercial, construction, employment, real estate and other civil matters; ADR professor, Hawaii Pacific University since 1995 and University of Hawai'i/National University of Vietnam Business Schools Executive MBA Program since 2009; Consultant on Public Policy Issues, Accord 3.0 Consultants; Fellow, American College of Civil Trial Mediators; Distinguished Neutral, CPR Institute; member, National Academy of Distinguished Neutrals; Senior Mediator, Mediate.com; selected among Best Lawyers in America and SuperLawyer in ADR; AV Pre-eminent rated, Martindale-Hubbell; faculty in local, national and international programs on ADR and civil litigation; Co-Chair, Hawaii State Bar Association ADR Section, 1995-2011; International Consultant, Vietnam Arbitration Law and ADR Development and Egypt Mediation Law Development; recipient, Lawyer as Problem Solver Award, Mediation Center of the Pacific; President, International Law Foundation; fluent in English and Vietnamese.

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David Day is one of the Hawaii's senior lawyers and executive business educators, with special emphasis on dispute resolution. Mr. Day has worked extensively throughout Asia in various mediation and arbitration proceedings both as a neutral and as a counsel. He is also a frequent speaker and faculty leader on various ADR topics topics at executive and MBA-level courses and symposiums throughout the Asia/Pacific Region. He has successfully conducted many mediation proceedings in the Hawaiian islands, on Guam and Saipan, Japan, Vietnam, Malaysia, Singapore, as well as on the U.S. Mainland.

David Day continues to handle various international business and complex litigation matters in Hawaii, on the U.S. Mainland, throughout Southeast Asia and the Pacific Islands Regions in a wide variety of fields, including high technology, software and telecommunications. His clients have included Fortune 500 firms, Asian foreign governments, as well as, technology, environmental, securities, industrial, construction, airline, resort, tourism, software, real estate development, entertainment, and education firms.

Mr. Day is also an active international neutral participating on a number of prestigious legal panels worldwide, including the ICC (The International Court of Arbitration - - Paris), Korean Commercial Arbitration Board (KCAB), CIETAC (China), the American Arbitration Association and SIAC (Singapore). A Fellow of the Chartered Institute of Arbitrators (London), Mr. Day has participated in international cross-border and cross-cultural proceedings involving parties from most Asian countries during the course of his career. He is recognized as a pioneer in the development of international conciliation and mediation in Singapore and Malaysia and is one of only 45 Americans named as global arbitrators in the ***International Who's Who of Commercial Arbitrators*** published by Law Business Research. In recent years, he was selected by the ICC as the sole international jurist/arbitrator to handle a large international telecommunication arbitration proceeding between a North American company and an Asian company. He was recently selected as the mediator in a dispute between U.S., Indian, and Singaporean parties by the SAIC (Singapore International Arbitration Centre).

James Duffy, Jr.

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No Information Sheet

David L. Fairbanks

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No Information Sheet

Diane Hastert

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Phone: 808-531-8031

No Information Sheet

JAMES K. HOENIG, ESQ., PhD.
Dispute Prevention & Resolution Inc.
1003 Bishop Street – Suite 1155 – Honolulu HI 96813
(808) 523-1234 jkh@dprhawaii.com

Jim has mediated and arbitrated hundreds of cases in a wide variety of areas (*e.g.*, commercial, construction, employment, real estate, family, contract, partnership, securities, banking, medical malpractice, tort, probate) with claims ranging up to several million dollars. He has extensive experience in the design and implementation of mediation and arbitration programs and in teaching dispute resolution and negotiation, and has written numerous works about dispute prevention and resolution processes. He is listed in ***The Best Lawyers in America*** in Mediation, Arbitration, and Family Law Mediation (and is the only person in Hawaii listed in all three categories).

Jim graduated first in his class from Stanford University and Stanford Law School, was Law Review President, and served as Law Clerk to the Chief Justice of the United States (Earl Warren). He also holds a Ph.D. in psychology. He practiced litigation and corporation law with O'Melveny & Myers in Los Angeles, and was later president of a large real estate development, construction, and management company and a part-time lecturer in the California Community College system (real estate, law, labor relations, and psychology of negotiation).

A Hawaii resident since 1979, Jim now uses his legal, business, and psychology background as a full-time mediator and arbitrator. He is a member of the Distinguished Panel of Neutrals of Dispute Prevention & Resolution (DPR), a former member of the Panels of Mediators and Facilitators for the Hawaii Judiciary's Center for Alternative Dispute Resolution, and mediator for the Supreme Court's Appellate Conference Program, as well as a former *per diem* Adjudicator.

Jim trains mediators for the Mediation Center of the Pacific, for the Judiciary, and at the University of Hawaii. Jim is a member of the Association for Conflict Resolution, the Academy of Professional Family Mediators, and the ADR, Family Law, and Probate and Estate Planning Sections of the Hawaii State Bar Association.

He is co-author of the *Hawaii Arbitration Law* textbook (HICLE 1992), "Dispute Resolution in Construction & Real Estate" (*Real Estate Review*, Spring 1993), "Complete Guide to Mediation" (*Inter-Pacific Bar Assn Journal*, Dec. 1996), "Guide to Creative Mediation," (*Dispute Resolution Journal*, Spring 1997), "Mediation of Real Estate & Construction Disputes," (*Real Estate Review*, Fall 1997), and "Practitioner's Guide to Mediation," (*Hawaii Bar Journal*, Jan. 1998). He is a contributing author for the *National ADR Handbook* (Lawyers Co-op 1993) and author of numerous other articles on dispute resolution, including "Mediation in Sexual Harassment Cases," (*Dispute Resolution Journal*, Dec. 1993) and "Divorce Mediation Basics," (*The Practical Lawyer*, July 1997).

*Mr. Hoenig does *not* practice law or psychology. Clients who require or desire such assistance may be referred to qualified professionals.

Keith W. Hunter
President/CEO
Dispute Prevention & Resolution, Inc.
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Keith W. Hunter is the founder, C.E.O and President of **Dispute Prevention & Resolution, Inc. (DPR)**, Hawaii's most experienced, full service ADR firm. Mr. Hunter manages all aspects of the DPR operation including: case management and administration, policy development, marketing and outreach, education and training, and business development.

In 1981 Mr. Hunter became the Regional Vice President of the Hawaii office of American Arbitration Association (AAA) and as the Executive director of the Center for International Commercial Dispute Resolution. In 1995 Mr. Hunter left AAA and formed DPR. During his career, Mr. Hunter has administered over 10,000 ADR proceedings bringing a wealth of experience in and knowledge of all aspects of dispute resolution to the work of DPR. Mr. Hunter has authored or co-authored numerous articles, monographs, and two books (Hawaii Arbitration Law and Hawaii Arbitration Law Periodical) covering a wide spectrum of ADR-related issues and topics.

Mr. Hunter has successfully served as a **Mediator** in over 6000 matters including: complex construction design and defect disputes, transactional and DROA real estate disputes, a wide range of insurance issues, coverage disputes, bad faith litigation, and subrogation claims, physical and emotional injury claims, wrongful death cases, medical malpractice cases, employee/employer issues, ADA compliance issues, environmental and ground pollution issues, professional negligence, complex divorce and domestic law matters, claims for commissions between brokers and agencies, financial and lender liability disputes, consumer claims against stock brokerage firms as well as securities account disputes, small business and professional partnership dissolution, family and closely held business disputes, complex land use/development issues, technology issues, attorney/client fee disputes.

Mr. Hunter has worked closely with trial and settlement judges in both the State and Federal courts as a Co-Mediator and settlement master in numerous complex civil and personal injury matters.

He has also served as a **Mediator/Arbitrator** in several **MED/ARB** proceedings, has served as a **Dispute Review Board** member for construction matters, and has been appointed as a **Neutral Umpire**. Mr. Hunter has also served as a court-appointed **Discovery/Settlement Master**, and has served as a **Neutral Investigator/Fact-Finder** in matters involving issues ranging from alleged workplace harassment, to alleged violations of employer sexual conduct policies, to wrongful dismissal.

Mr. Hunter has served as a **Partnering Retreat Leader** for over 50 construction projects in Hawaii, the mainland USA, and Canada. Mr. Hunter has served as a **Neutral Facilitator** and served as a **Facilitator/Meeting Manager** for condominium leasehold discussions, tourism issues, legislative policy discussions, as well as other public and private meetings involving complex issues.

Mr. Hunter conducts educational and training seminars for private and public organizations, advocates, neutrals, trade and industry organizations, and consumers of ADR services.

Mr. Hunter is an active panel member of the Hawaii State Judiciary-Center for Alternative Dispute Resolution, the Hawaii Labor Relations Board, and the National Association of Securities Dealers. He is a member of (non-attorney) of the H.S.B.A. Section on Alternative Dispute Resolution and a national member of the Society of Professionals in Dispute Resolution. He formally served as the Chairman of the Board of Directors of the Better Business Bureau and is a national member of the American Judicature Society.

Susan Ichinose

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Phone: 808-377-8800

No Information Sheet

Mediator Information Sheet

Mark Ito
745 Fort Street, Suite 1500
Honolulu, Hawaii 96813
Tel. 808.523.6045
mito@schlackito.com

Experience:

Mediated real property, TRO, property division, child custody disputes

Represented parties in mediation of business, construction, tort and real property disputes

Elizabeth Kent
1746 Akaakoa Street
Kailua, Hawaii 96734
Mobile: 808.352-2776
MeetingExpectationsHawaii@gmail.com

**Significant
Experience**

December 2013-Present: Meeting Expectations Hawaii (Owner).

Provide a variety of alternative dispute resolution processes and training, including mediation and facilitation, specifically tailored to meet clients' needs. Focus on issues involving religious organizations, non-profit organizations, and government.

1994-November 2013: Director (since 1996), Hawaii Judiciary, Center for Alternative Dispute Resolution (Research Analyst, 1994–1996).

Developed mediation programs for the courts and executive branch; worked on education and training on ADR-related issues; researched/advised the courts on ADR-related issues; oversaw the Judiciary's contract with the community mediation centers; mediated/facilitated cases that affected public policy. Supervised five staff and approximately 40y volunteers and oversaw a budget of approximately \$725,000. During my tenure at the Center:

- Rules providing for ADR were enacted for each trial court and the appellate courts
- An appellate mediation program was enacted, serving parties in more than 500 cases
- Pilot and other ADR programs were implemented, including in misdemeanor cases, on the paternity calendar, for divorce cases, and for foreclosure cases
- Thousands of state and county employees were trained in ADR and conflict resolution classes, including effective communication, negotiation, basic meeting facilitation, beyond basic meeting facilitation, addressing difficult situations, and mediation
- Multi-media methods of informing the public about ADR were utilized, including procuring and producing videos, publishing brochures, giving speeches, making presentations, and television and radio appearances
- Research and articles were published on settlement and resolution of cases in the circuit courts in Hawaii
- The ADR private sector grew dramatically, with increased use and acceptance of mediation
- The Center facilitated or assisted on the design of hundreds of meetings for local government, including planning for a county council, strategic planning for the Judiciary, strengthening responses to domestic violence, and improving the lives of foster children
- Art drawn by elementary school children depicting conflict resolution was hung on permanent display in three major Judiciary buildings
- The Uniform Collaborative Law Act and the Uniform Mediation Act were adopted and signed into law

2001–2002: Deputy Director, Department of Human Services (*Leave of absence from Judiciary*).

Worked with the Director to oversee administration of welfare programs, vocational rehabilitation services, medical assistance programs, child welfare services, and adult protection services. Department had approximately 2,000 employees and budget over \$1 Billion.

1988–1994: Associate, Paul, Johnson, Park & Niles.

Worked on all aspects of commercial litigation.

1990–1996: Lecturer, University of Hawaii.

Taught graduate/undergraduate courses in Business Law.

1985–1987: Clerk/Attorney, U.S. Court of Appeals (2nd and 9th Circuits)

Education

William S. Richardson School of Law, J.D., 1985 (Law Review; Moot Court Honors Board; Am Jur Award for Contracts); University of Colorado, B.A., Magna cum Laude, 1981.

Awards

Mahalo Award (Mediation Center of the Pacific, 2013).

Distinguished Service (Hawaii Women Lawyers, 2012).

Group Certificate of Commendation, Mortgage Foreclosure Team (Hawaii Judiciary, 2011).

Reverend King Peacemaker Award (Church of the Crossroads, 2007).

Lawyer as Problemsolver (Mediation Center of the Pacific, 2004 and 2006).

Improved Justice Award (Mediation Center of the Pacific, 2001).

Rhoda Lewis Award (Hawaii Women's Legal Foundation, 2000).

Significant Publications

Barkai & Kent, "Let's Stop Spread Rumors About Settlement & Litigation," 29 Ohio State University Journal of Dispute Resolution 85 (2014).

Barkai, Kent, & Martin, "Settling Civil Lawsuits in the Hawaii Circuit Courts," Vol. 10, No. 13 Hawaii Bar Journal 1 (2007).

Au and Kent, "The Effect of ADR on the Legal System," Vol. 11 HSBA Journal 6 (November 2007).

Kent, "Privacy and Confidentiality in Mediation," Vol. 9 HSBA Journal 34 (December 2005).

Barkai, Kent, & Martin, "A Profile of Settlement," Vol. 42 Court Review 34 (Fall/Winter 2006).

Kent & Van Epps, "How Courts Can Prepare for Y2K Litigation," Vol. 82 Judicature 233 (1999); Kent & Van Epps, "Y2K Meets ADR: Monitoring Y2K Filings Encouraged," Vol. 11 Court Technology (1999).

Kent, "Appellate Mediation: The First Eighteen Months of the Hawaii Appellate Conference Program," Vol. I Hawaii Bar Journal 95 (1998).

Kent, "ADR and Your Lawsuit: How Do They Mesh?" 10/6/97 Pacific Business News 3.

Note, "The Erosion of Home Rule in Hawaii: City and County of Honolulu v. Ariyoshi," 7 U. Hawaii L. Rev. 503 (1985).

Select Board Appointments

Board of Directors, Hawaii Association of Conflict Resolution, Hawaii Chapter (2006–2007).

Board of Directors, Policy Consensus Initiative, 2000–2006.

Commissioner, Uniform Law Commission, 1998-present (significant ADR-related drafting committee work includes appointments to and work on the Uniform Mediation Act Draft Committee, Collaborative Law Drafting Committee, Home Foreclosure Drafting Committee, and Family Law Arbitration Drafting Committee).

Board of Directors, Legal Aid Society of Hawaii, 1998-2000.

Policy Board Member, Program on Conflict Resolution, 1997-present.

Member/Vice-Chair, Supreme Court Committee on Judicial Performance Evaluation, 1991-1995.

Board of Directors, Hawaii Institute for Continuing Legal Education, 1993-1996 (President in 1995).

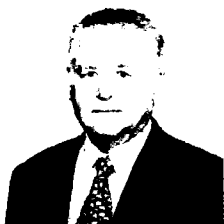
Past Training Sessions Presented

- **Working It Out – Skills for Dispute Resolution:** This half-day class provided an introduction to basic dispute resolution skills, focusing on verbal and non-verbal components of messages, listening skills, understanding positions and interests, and effective use of questions.
- **Negotiation Skills:** This one-day class helped trainees develop the skills needed to negotiate agreements successfully; trainees participated in simulated negotiations and learned to present and respond to offers and counter-offers and use consultative negotiating tactics and techniques.
- **Mediation Skills:** This half-day class presented an overview of mediation and discussed some the lessons mediators have learned; it also provided an interactive setting to learn new skills.
- **Better Meeting Management:** This two-day class provided tools to use in meetings to make them as effective as possible, emphasizing the importance of setting an agenda and remaining focused; it was useful not only for those who plan and run meetings, but also for those who attend meetings.
- **Beyond Basic Facilitation – Meeting Management:** This one day class covered skills, tools, and techniques to design and manage complex meetings, meeting series, and meetings involving large groups; participants met with a client to discuss challenges and designed strategies and processes for a successful meeting.
- **Beyond Basic Facilitation – Conflict Assessment:** In this one-day class, trainees worked with actors and together they assessed a mock conflict, determined the issues, emotions, necessary parties, and whether mediation or facilitation would be appropriate.
- **Handling Difficult Situations in the Workplace:** This half-day class helped trainees develop the interpersonal and communications skills needed to deal confidently with difficult interactions that arise occasionally in the workplace; the emphasis was on sharpening listening skills, gathering information under challenging circumstances to identify problems, defusing anger and building rapport, and maintaining professionalism in stressful situations.
- **More Handling Difficult Situations in the Workplace:** This half-day class examined some inappropriate behavior in the workplace. The class reviewed some of the ways inappropriate behaviors are displayed in the workplace, actions one can take in difficult situations, and ways to stop the problem behaviors. This interactive class included skill-building information and exercises.
- **Vicarious Trauma and Resiliency:** This 2 1/2 hour class is designed for those who work with people and witness trauma. Participants reviewed the symptoms of vicarious trauma, also known as compassion fatigue, discussed successful coping techniques, and designed an action plan for resiliency.

Presentations

- ABCs of ADR
- ADR – What It Is and Is Not
- Advocacy in Mediation
- Agreement Writing – Elements of an Agreement
- Alternatives to Trial in Hawaii – Some Definitions of Dispute Resolution Options
- Assessment Tools for ADR: ADR Interventions and Criteria for Referral
- Background on ADR History in Hawaii and the United States (and the Judiciary's Center for Alternative Dispute Resolution)
- Boro – Repurposing, Recycling, and New Lives
- Confidentiality in Mediation
- Conflict Assessment Tools
- Conflict in the Church
- Dr. Martin Luther King Jr. and Mediation
- Factors Favoring Use of Mediation
- Five Steps to Effective Meetings
- How Do I Feel About Non-Profits?
- How to Listen so People Will Talk to You
- Ideas on an Ideal Model Comprehensive Court-Connected Dispute Resolution Office
- Informal Resolution of Contract Disputes
- Listening to Identify Interests
- Mediation and the Feminist Viewpoint
- Mediation – Solutions, Success, Satisfaction
- Mediating Contested Cases Under Act 76
- Message of Aloha
- Negotiation for Women
- Overview of ADR in the Hawaii Judiciary
- Overview of Mediation and Skills that Mediators Use
- Resources for Resolving Workplace Disputes
- The Hawaii Appellate Conference Program

John R. Lacy



John Lacy has concentrated in civil trial work since joining the firm in 1973. He has litigated commercial and non-commercial jury and nonjury trials in all Hawai'i Federal and State Courts. He has represented clients in numerous arbitrations and mediations. Some examples of his experience include:

- **Maritime:** Advises and represents major shipping and cruise lines as well as numerous London and foreign underwriters and P & I clubs in Hawai'i and the Pacific Basin.
- **Alternative Dispute Resolution:** Advises and represents corporate clients in mediations and arbitrations. Has acted as a Financial Industry Regulatory Authority (FINRA) arbitrator and has handled FINRA arbitrations.
- **Aviation:** Advises and represents commercial airlines, manufacturers of fixed wing and rotor wing aircraft and manufacturers of aircraft component parts in products liability, breach of contract, breach of warranty, discrimination, and negligence claims brought by government, corporate and individual plaintiffs.
- **Insurance Claims:** Advises and represents insurers in coverage, bad faith, and ERISA litigation.
- **Business Litigation:** Advises and represents corporate clients in shareholder, securities, regulatory, RICO, contract and antitrust litigation.
- **Intellectual Property:** Advises and represents major music licensing organization in the prosecution of copyright infringement actions. Represents companies in trademark and copyright litigation.
- **Products Liability:** Advises and represents manufacturers in strict liability, warranty, negligence and failure to warn claims, including claims arising out of chemicals, aircraft, aircraft component parts, construction equipment, drilling equipment, motor vehicle, electrical equipment, oil refinery equipment and sporting gear.
- **Professional Malpractice:** Advises and represents physicians, nurses and other health care professionals as to professional negligence claims. Has defended attorneys against a variety of professional negligence claims. Defended title insurers and escrow companies in title and escrow litigation and arbitrations. Retained by E & O carrier to review and evaluate the performance of counsel handling third party professional negligence claims.

Mr. Lacy has conducted seminars on various litigation issues for professional organizations and corporate clients. He enjoys traveling, reading, swimming and a variety of ocean related activities.

Education

Hastings College of Law,
University of California,
J.D. 1973
University of Southern
California, M.S. 1971
San Diego State University,
B.S. 1966

Practice Area

Maritime
Litigation
Alternative Dispute Resolution
Intellectual Property

Admitted to Practice

United States Supreme Court
Ninth Circuit Court of Appeals
U.S. District Court of Hawai'i
State Courts of Hawai'i

Professional and Civic Activities

State Chair, American College
of Trial Lawyers;
Advocate, American Board
of Trial Advocates;
Arbitrator, FINRA;
Hawai'i State and
American Bar Associations;
U.S. Maritime Law Association;
DRI

Publications

Co-author – ABA
Misrepresentation in the Life,
Health and Disability Survey for
Hawaii

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Professional Experience

University of Hawaii at Manoa, William S. Richardson School of Law
Chief Operating Officer/Senior Advisor & Director, Externship Program
Honolulu, Hawaii 2007 – present

Private Arbitrator and Mediator
Honolulu, Hawaii 2007 – present

Kobayashi, Sugita & Goda, Attorneys at Law
Associate, Partner
Honolulu, Hawaii 1981 – 2006

Ukishima & Matsubara, Attorneys at Law
Associate, Partner
Honolulu, Hawaii 1976 – 1981

Department of the Prosecuting Attorney
City and County of Honolulu
Deputy Prosecuting Attorney
Honolulu, Hawaii 1974-1976

Retail Credit Company (nka Equifax)
Field Representative
Honolulu, Hawaii 1970-1971

Education

Southern Methodist University
Dedman School of Law
Dallas, Texas, J.D., 1974

Brown University
Providence, Rhode Island
A.B. (American Civilization), 1970

Michael A. Lorusso

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Email: pmaki@makilaw.com

Mediation Experience:

Past member of the mediation panels of the International Trademark Association and the CPR Institute for Dispute Resolution. Have received extensive mediation training from both of those organizations.

Have participated in over 30 mediations, primarily in the areas of trademark, unfair competition and copyright law and commercial disputes and in most cases as an advocate.

RESUME OF MICHAEL ANTHONY MARR

Email: Marrlaw@uw.edu

Present Occupation: Attorney, Arbitrator, Mediator & Fact Finder (1979 to Present)

111 North King Street

Suite #314

Honolulu, Hawaii 96817

Telephone: (808) 255-5017

LEGAL EXPERIENCE:

February 16, 1979 to Present - Law Offices of Michael Anthony Marr

Although I have placed special emphasis on providing arbitration, mediation, and other neutral services in the area of labor and employment law, I continue to accept select cases in the areas of family law, immigration law, welfare law, elder law, and constitutional law while also providing substantial pro bono assistance to indigent immigrants in these areas of law. I am also outside counsel to the Bank of Hawaii, the largest bank in Hawaii. I have written over 60 arbitration decisions and mediated several hundreds of cases. While maintaining my private law office, I have served as Special Counsel to the State of Hawaii Crime Commission, as Independent Grand Jury Counsel to the Circuit Court of the First Circuit, State of Hawaii, as a Bankruptcy Trustee to the United States Bankruptcy Court for the District of Hawaii, and as a law instructor to the University of Hawaii, West Oahu College and Chaminade University.

PROFESSIONAL AFFILIATIONS:

Washington State Bar Association (1979)

State of Washington Supreme Court

Supreme Court of the United States

United States District Court of Hawaii

Labor and Employment Relations Association

Hawaii State Bar Association (1980)

State of Hawaii Supreme Court

United States 9th Circuit Court of Appeals

United States District Court of Western Washington

Society of Federal Labor Relations Professionals

EDUCATION:

BA Political Science University of Washington, 1975 (Magna Cum Laude and Phi Beta Kappa)

JD Law University of San Francisco, 1978 (Two Scholarships)

ARBITRATION/MEDIATION ROSTERS:

United States District Court of Hawaii Mediation Panel

Dispute Prevention & Resolution, Inc. (DPR-Hawaii)

National Association of Securities Dealers

California State Mediation & Conciliation Service

Los Angeles City Employee Relations Board

Michigan Employment Relations Commission

Nevada Employee Relations Board

Virgin Islands Public Employee Relations Board

Washington State Labor Relations Commission

Federal Mediation and Conciliation Service

Hawaii Labor Relations Board

National Arbitration Forum

Oregon State Employment Relations Board

Maine Labor Relations Commission

Montana Board of Personnel Appeals

Nebraska Employee Relations Board

Washington Marine Employees' Commission

COMMUNITY SERVICE/PUBLIC SERVICE WORK:

Trustee, State of Hawaii Supreme Court, Lawyer's Fund for Client Protection;

Volunteer appellate court judge for the University of Hawaii law school's moot court program;

Volunteer trial judge for the annual Hawaii High School Mock Trial Tournament;

Member, National Client Protection Organization;

Pro bono mediator for the Mediation Center of the Pacific;

Pro bono attorney for Volunteer Legal Service of Hawaii; and

Pro Bono legal work for individual indigent clients in the areas of family law, welfare law, immigration law, elder law, and constitutional law.

Pamela Martin

email: martinp005@hawaii.rr.com

phone: 808-372-4898

address: 2519A Lai Rd., Honolulu, HI 96816

Related Mediation Experience: Administered Hawaii Supreme Court Mediation Program 1999-2004, Mediation Center of the Pacific mediator since 1991

Current Employment: Hawaii Dept. of Labor and Industrial Relations, Wage Standards Division

Mediator Information Sheet – Clyde Matsui

Address: 2486 East Manoa Road
Honolulu, HI 96822

Telephone: (808) 255-5828

Fax: (808) 988-6264

Email: matsui@mediationshawaii.com

Mediation Experience:

Since 1999, my law practice has been entirely in serving as a mediator. In that capacity, I have handled cases mainly through court assignment, although I have also accepted cases at the direct request of the parties.

I have extensive experience in federal court. Cases I have handled are quite diverse, in terms of the areas of law and issues involved. The following are examples of cases – state and federal – which I have mediated to successful conclusion.

Antitrust	(e.g., <u>State of Hawaii v. Chevron</u>)
Trusts and Estates	(e.g., <u>Bishop Estate Trustees</u>)
Whistleblower Claims	(e.g., <u>Kamakana v. HPD</u>)
Environmental Torts	(e.g., <u>Board of Water Supply v. Dow Chemical</u>)
Patent Infringement	(e.g., <u>Hilo Fish v. Kowalski</u>)
Personal Injury	(e.g., <u>Guerrero v. C&C of Honolulu</u>)
Product Liability	(e.g., <u>Hirata v. Toyota Motor Corp.</u>)
Breach of Contract	(e.g., <u>Newell v. Flynn-Learner</u>)
Securities Regulation	(e.g., <u>American Savings Bank v. Dean Witter</u>)
Medical Malpractice	(e.g., <u>Kumar v. QMC</u>)
Legal malpractice	(e.g., <u>Princeview v. Pan Global Partners [KSG]</u>)
Actions Against the State	(e.g., <u>Kia v. State Of Hawaii</u>)
Employment Discrimination	(e.g., <u>Villaruz v. Diagnostic Lab Services</u>)
Eminent Domain	(e.g., <u>Waimea Valley</u>)
Commercial Banking	(e.g., <u>American Savings Bank v. Dean Witter</u>)
HMO Regulation	(e.g., <u>Aloha Care v. State of Hawaii</u>)
Libel/Slander	(e.g., <u>Michiko Black v. Uraku Towers</u>)
Aviation Torts and Claims	(e.g., <u>Molokai Air Crash Case (Price)</u>)

The Honorable E. John McConnell (Ret.)

33 N. Market Street, Suite 200
Wailuku, Maui, Hawai'i 96793
Maui Phone: (808) 244-6531
Email: judgemcconnell@msn.com

E. John McConnell Retired Circuit Court Judge, State of Hawaii Full-Time ADR Neutral

Judge McConnell served thirteen years on the Circuit Court bench on Maui, Hawaii. During this period he presided as a general jurisdiction trial, motions and settlement judge over thousands of civil, criminal, probate and other matters. During the last four years of his tenure, Judge McConnell served as the Administrative and Senior Family Court Judge as well as Arbitration Judge for the Second Circuit Court. While a judge, he conducted hundreds of settlement conferences as well as presided over some of the longest, most complex civil cases that have been tried to verdict in Hawaii. These cases included complex construction litigation, personal injury claims, high profile land use development claims, medical and dental malpractice suits, and wrongful termination and sexual harassment matters. As a judge, he served as Chair of the Judicial Education Committee and the Judiciary Standing Committee on Jury Instructions. He has been a member of the Court Annexed Arbitration Commission, the Standing Committee on Civil rules, the Probate Rules Committee, and is a past president of the Hawaii State Trial Judges Association.

Since his retirement from the bench, Judge McConnell has established a full-time alternative dispute resolution practice. His diverse practice includes arbitration, mediation, and hearing officer appointments. He has served as an arbitrator of public and private labor grievances, construction industry disputes, real estate transaction disputes and wrongful discharge and discrimination claims. He has mediated in all of these fields and in personal injury cases. He has served as a hearing officer for the Hawaii State Board of Land and Natural Resources, the Maui Planning Commission, the Maui Board of Variances and Appeals, and the Kauai Ethics Commission.

Before being appointed to the bench in 1984, Judge McConnell was Chairman of the Hawaii Labor and Industrial Relations Appeals Board, Deputy Director of the Hawaii State Department of Commerce and Consumer Affairs, a Hawaii Deputy Attorney General, and a private practitioner.

Judge McConnell received a B.A. degree from the Pennsylvania State University in 1963, and a degree from the Dickinson School of Law in 1966.

Judge McConnell can be reached at judgemcconnell@msn.com.

Resume: THEODORE G. MEEKER

January 13, 2013

Home: 47-441 Hui Nene Street,
Kaneohe, Hawaii 96744

Tel: (808) 239-5876 (h), (808) 221-9779 (Cell), email: tgmeek@gmail.com

Education: Princeton University A.B. cum laude (1966)
Stanford Law School, J.D. (1972)

Licensed Before: Hawaii State Bar (J.D. 1267), U.S. Federal Ct, D. Haw, Ninth
Circuit, Federal Circuit, U.S. Supreme Court

Work and Professional Experience

2004 to present: Retired from Department of Justice. Law license active, doing consulting on Federal Legal Issues and pro bono legal work and volunteer work for various charitable organizations as well as giving invitational lectures or talks on various aspects of law and legal practice at UH law school and at undergraduate law courses at Honolulu Community College.

1987 to 2004: Senior Assistant United States Attorney, Dept. Of Justice, Office of the United States Attorney, Civil Division representing the United States in varied civil litigation brought against or on behalf of the United States including environmental litigation, EEOC cases, Federal Tort Claims Act cases, Qui Tam actions (affirmative), affirmative and defensive ADA claims, U.S. condemnation actions, U.S. property disposal, contract actions, qui tam suits, Bivens actions and other litigation.

1983-1987: Commander, USNR JAG Corps, recalled to Active Duty by the Navy at the request of the Department of Justice to act as Special Assistant United States Attorney (District of Hawaii) to work with the toxic torts division of DOJ and the Navy to defend United States in asbestos litigation.

1982-1983: Deputy Attorney General, State of Hawaii,

1973-1982: Private practice of law in Honolulu, Hawaii

U.S. Navy Experience

29 years service active and Reserve, seven years of active duty, first as a line officer with 2 WestPac/Vietnam deployments, second four years as noted above. Reserve duty with CINCPAC, CINCPACFLT, COMSUBPAC and NLSO, Pearl Harbor. Retired as a Captain/0-6, JAGC.

Resume Theodore G. Meeker

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June 13, 2013

My work experience both with the Department of Justice and the United States District Court for the District of Hawaii as well as my JAG corps experience (including four years doing asbestos litigation for the Navy, as well as many years with both CINCPACFLT and CINCPAC), led me into hundreds of situations involving mediation and arbitration involving both Hawaii civil law and Federal law. My roles varied from direct participant to advisor. I also participated and sometimes taught in a number of trial and mediation/arbitration courses given by the Department of Justice.

Mario Ramil

email: mario@badgerarakaki.com

Phone: 808-566-0855

No Information Sheet

Roy J. Tjioe

Phone: 808-536-0155

No Information Sheet

Lorenn Walker, JD, MPH

P.O. Box 489, Waialua, Hawai'i 96791

Telephone: (808) 218-3712 Fax: (808) 637-1284

Email: lorenn@hawaii.edu & lorenn@hawaii.rr.com

Websites: <http://www.lorennwalker.com> & <http://apologyletter.org>

Civil mediation 1995 – present includes:

Mediated cases through Neighborhood Justice Center (currently Mediation Center of the Pacific) and through private practice Lorenn Walker, JD, MPH

Mediated child protection (CPS) cases for Family Court of the First Circuit, State of Hawai'i 1997 – 2001

Criminal mediation (aka: *victim offender mediation* “VOM” & *restorative dialogue*) 1996 – present includes:

Developed, coordinated, provided, and evaluated *Pono Kaulike Restorative Justice* pilot program with Judge Leslie Hayashi and the District Court of the First Circuit, State of Hawai'i 2002 – 2007

Federal Probation Journal articles about Pono Kaulike experiment published in:

Pono Kaulike: A Hawaii Court Provides Restorative Justice Practices for Healing Relationships, Walker & Hayashi, Federal Probation Journal, Vol. 71, No. 3, 18-24, 2007,
<http://www.uscourts.gov/FederalCourts/ProbationPretrialServices/FederalProbationJournal/FederalProbationJournal.aspx?doc=/uscourts/FederalCourts/PPS/Fedprob/2007-12/index.html>

Pono Kaulike: Reducing Violence with Restorative Justice and Solution-Focused Approaches, Walker & Hayashi, Federal Probation Journal, Vol 73, No. 1, 23-27, 2009,
<http://www.uscourts.gov/FederalCourts/ProbationPretrialServices/FederalProbationJournal/FederalProbationJournal.aspx?doc=/uscourts/FederalCourts/PPS/Fedprob/2009-06/index.html>

Hired to convene and conduct VOM for the Oprah Winfrey Network 2011 for 2 victims and the man convicted for the murder of Robert Schpel at Washington State Penitentiary <http://www.oprah.com/own-confronting/Colleen-Meets-Her-Husbands-Killer>

Fulbright Specialist Roster selection for peacemaking and conflict management for 5 years beginning July 2013

Tracey S. Wiltgen, Esq.
245 N. Kukui Street Suite 206
Honolulu, HI 96817
Tel: 521-6767 Cell: 428-6438
tracey@mediatehawaii.org

Tracey has been mediating for the past 20 years in the areas of Employment, EEO & Civil Rights matters; Real Estate; Special Education; Divorce; Family; and Elder issues.

Since 1998 she has served as a mediator for the United States Postal Service; and from 2004 she has served as a mediator for the Transportation Security Administration.

She is currently the Executive Director of the Mediation Center of the Pacific and an Adjunct Professor of the William S. Richardson School of Law where she teaches the Mediation Workshop.

EDUCATION

B.A., Gonzaga University, 1977; M.S., University of Hawai'i, 1979; J.D., William S. Richardson School of Law, 1988; Weinberg Fellow.

MEDIATOR CERTIFICATION

Pepperdine, Strauss Institute, Preventing Bad Settlement Decisions and Impasse, 2012, Mediating the Litigated Case, 2007 and Advanced Mediation, 2006; University of Hawai'i, Advanced Facilitation 2001; The Accord Group, Advanced Mediation and Facilitation, 1996; American Arbitration Association, Basic, Advanced and International Arbitration Training, 1994; Commercial Mediation, 1995; CDR Associates, Boulder, CO, Mediating Healthcare Disputes, 1996; Center for Alternative Dispute Resolution, Probate mediation Training, 1996; Center for Restorative Justice, Victim Offender Mediation Training, 1994; Institute for ADA Mediation, Mediating Workplace Disputes Involving Individuals with Disabilities, 1998; University of Hawai'i, Facilitating Strategic Thinking & Planning, 1998; University of Hawai'i, Facilitative Leadership, 1996; U.S. Postal Service, 1999.

MEMBERSHIPS AND AFFILIATIONS

American Bar Association; Dispute Resolution Section, American Bar Association; Hawai'i State Bar Association (HSBA); National Association for Community Mediation; International Association for Conflict Resolution; Hawai'i Association for Conflict Resolution, (Director 2001 – 2005; 1996 – 1998); Hawai'i State Bar Association, ADR Section, Past Co-Chair; Rotary Club of Honolulu, Past Director; Peacemaker Committee, Rotary Club of Honolulu, Founding Member and Past Chair.

Patrick K.S. L. Yim

email: pyim@hawaii.rr.com

Phone: 808-373-4030

No Information Sheet